

109TH CONGRESS  
1ST SESSION

# S. 1343

To support the establishment or expansion and operation of programs using a network of public and private community entities to provide mentoring for children in foster care.

---

## IN THE SENATE OF THE UNITED STATES

JUNE 30, 2005

Ms. LANDRIEU introduced the following bill; which was read twice and referred to the Committee on Finance

---

## A BILL

To support the establishment or expansion and operation of programs using a network of public and private community entities to provide mentoring for children in foster care.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Foster Care Mentoring  
5       Act of 2005”.

6       **SEC. 2. FINDINGS.**

7       Congress makes the following findings:

1           (1) Research shows that caring adults can  
2           make a difference in children's lives. Forty five per-  
3           cent of mentored teens are less likely to use drugs.  
4           Fifty nine percent of mentored teens have better  
5           academic performance. Seventy three percent of  
6           mentored teens achieve higher goals generally.

7           (2) Children that have mentors have better re-  
8           lationships with adults, fewer disciplinary referrals,  
9           and more confidence to achieve their goals.

10          (3) In 2001, over 163,000 children in the foster  
11          care system were under the age of 5 years.

12          (4) In 2001, over 124,000 children were under  
13          the age of 10 when they were removed from their  
14          parents or caretakers.

15          (5) The International Day of the Child, spon-  
16          sored by Children United Nations, has served as a  
17          great tool to recruit mentors and partner them with  
18          needy foster care children.

19          (6) On November 10, 2002, as many as 3,000  
20          children will be matched with mentors as a result of  
21          the International Day of the Child.

22          (7) States should be encouraged to incorporate  
23          mentor programs into the delivery of their foster  
24          care services. The State of California serves as a

1 great example, matching close to half a million men-  
 2 tors with needy children.

3 (8) Mentor programs that serve foster children  
 4 are unique and require additional considerations in-  
 5 cluding specialized training and support necessary to  
 6 provide for consistent, long term relationships for  
 7 children in care.

8 (9) Mentor programs are cost-effective ap-  
 9 proaches to decreasing the occurrence of so many so-  
 10 cial ills such as teen pregnancy, substance abuse, in-  
 11 carceration and violence.

12 **SEC. 3. PROGRAMS FOR MENTORING CHILDREN IN FOSTER**  
 13 **CARE.**

14 Subpart 2 of part B of title IV of the Social Security  
 15 Act (42 U.S.C. 629 et seq.) is amended by adding at the  
 16 end the following:

17 **“SEC. 440. PROGRAMS FOR MENTORING CHILDREN IN FOS-**  
 18 **TER CARE.**

19 “(a) PURPOSE.—It is the purpose of this section to  
 20 authorize the Secretary to make grants to eligible appli-  
 21 cants to support the establishment or expansion and oper-  
 22 ation of programs using a network of public and private  
 23 community entities to provide mentoring for children in  
 24 foster care.

25 “(b) DEFINITIONS.—In this section:

1           “(1) CHILDREN IN FOSTER CARE.—The term  
2           ‘children in foster care’ means children who have  
3           been removed from the custody of their biological or  
4           adoptive parents by a State child welfare agency.

5           “(2) MENTORING.—The term ‘mentoring’  
6           means a structured, managed program in which chil-  
7           dren are appropriately matched with screened and  
8           trained adult volunteers for one-on-one relationships,  
9           that involves meetings and activities on a regular  
10          basis, and that is intended to meet, in part, the  
11          child’s need for involvement with a caring and sup-  
12          portive adult who provides a positive role model.

13          “(3) POLITICAL SUBDIVISION.—The term ‘polit-  
14          ical subdivision’ means a local jurisdiction below the  
15          level of the State government, including a county,  
16          parish, borough, or city.

17          “(c) GRANT PROGRAM.—

18                 “(1) IN GENERAL.—The Secretary shall carry  
19                 out a program to award grants to States to support  
20                 the establishment or expansion and operation of pro-  
21                 grams using networks of public and private commu-  
22                 nity entities to provide mentoring for children in fos-  
23                 ter care.

24                 “(2) GRANTS TO POLITICAL SUBDIVISIONS.—  
25                 The Secretary may award a grant under this sub-

1 section directly to a political subdivision if the sub-  
2 division serves a substantial number of foster care  
3 youth (as determined by the Secretary).

4 “(3) APPLICATION REQUIREMENTS.—To be eli-  
5 gible for a grant under paragraph (1), the chief ex-  
6 ecutive officer of the State or political subdivision  
7 shall submit to the Secretary an application con-  
8 taining the following:

9 “(A) PROGRAM DESIGN.—A description of  
10 the proposed program to be carried out using  
11 amounts provided under this grant, including—

12 “(i) a list of local public and private  
13 organizations and entities that will partici-  
14 pate in the mentoring network;

15 “(ii) the name, description, and quali-  
16 fications of the entity that will coordinate  
17 and oversee the activities of the mentoring  
18 network;

19 “(iii) the number of mentor-child  
20 matches proposed to be established and  
21 maintained annually under the program;

22 “(iv) such information as the Sec-  
23 retary may require concerning the methods  
24 to be used to recruit, screen support, and  
25 oversee individuals participating as men-

tors, (which methods shall include criminal background checks on the individuals), and to evaluate outcomes for participating children, including information necessary to demonstrate compliance with requirements established by the Secretary for the program; and

“(v) such other information as the Secretary may require.

“(B) TRAINING.—An assurance that all mentors covered under the program will receive intensive and ongoing training in the following areas:

“(i) Child Development, including the importance of bonding.

“(ii) Family dynamics, including the effects of domestic violence.

“(iii) Foster care system, principles, and practices.

“(iv) Recognizing and reporting child abuse and neglect.

“(v) Confidentiality requirements for working with children in care.

“(vi) Working in coordination with the public school system.

1 “(vii) Other matters related to work-  
2 ing with children in care.

3 “(C) SCREENING.—An assurance that all  
4 mentors covered under the program are appro-  
5 priately screened and have demonstrated a will-  
6 ingness to comply with all aspects of the mentor  
7 program, including—

8 “(i) a description of the methods to be  
9 used to conduct criminal background  
10 checks on all prospective mentors; and

11 “(ii) a description of the methods to  
12 be used to ensure that the mentors are  
13 willing and able to serve as a mentor on a  
14 long term, consistent basis.

15 “(D) EDUCATIONAL REQUIREMENTS.—An  
16 assurance that all mentors recruited to serve as  
17 academic mentors will—

18 “(i) have a high school diploma or its  
19 equivalent; and

20 “(ii) have completed at least 1 year of  
21 study in a program leading to a graduate  
22 or post graduate degree.

23 “(E) COMMUNITY CONSULTATION; COORDI-  
24 NATION WITH OTHER PROGRAMS.—A dem-  
25 onstration that, in developing and implementing

the program, the State or political subdivision will, to the extent feasible and appropriate—

“(i) consult with public and private community entities, including religious organizations, and including, as appropriate, Indian tribal organizations and urban Indian organizations, and with family members of potential clients;

“(ii) coordinate the programs and activities under the program with other Federal, State, and local programs serving children and youth; and

“(iii) consult and coordinate with appropriate Federal, State, and local corrections, workforce development, and substance abuse and mental health agencies.

“(F) EQUAL ACCESS FOR LOCAL SERVICE PROVIDERS.—An assurance that public and private entities and community organizations, including religious organizations and Indian organizations, will be eligible to participate on an equal basis.

“(G) RECORDS, REPORTS, AND AUDITS.—An agreement that the State or political subdivision will maintain such records, make such



1 reports, and cooperate with such reviews or au-  
2 dits as the Secretary may find necessary for  
3 purposes of oversight of project activities and  
4 expenditures.

5 “(H) EVALUATION.—An agreement that  
6 the State or political subdivision will cooperate  
7 fully with the Secretary’s ongoing and final  
8 evaluation of the program under the plan, by  
9 means including providing the Secretary access  
10 to the program and program-related records  
11 and documents, staff, and grantees receiving  
12 funding under the plan.

13 “(4) FEDERAL SHARE.—

14 “(A) IN GENERAL.—A grant for a program  
15 under this subsection shall be available to pay  
16 a percentage share of the costs of the program  
17 up to 75 percent for each year for which the  
18 grant is awarded.

19 “(B) NON-FEDERAL SHARE.—The non-  
20 Federal share of the cost of projects under this  
21 subsection may be in cash or in kind. In deter-  
22 mining the amount of the non-Federal share,  
23 the Secretary may attribute fair market value  
24 to goods, services, and facilities contributed  
25 from non-Federal sources.

1           “(5)       CONSIDERATIONS       IN       AWARDING  
2       GRANTS.—In awarding grants under this subsection,  
3       the Secretary shall take into consideration—

4           “(A) the overall qualifications and capacity  
5       of the State or political subdivision program  
6       and its partners to effectively carry out a men-  
7       toring program under this subsection;

8           “(B) the level and quality of training pro-  
9       vided to mentors under the program;

10          “(C) evidence of coordination of the pro-  
11       gram with the State’s or political subdivision’s  
12       social services and education programs;

13          “(D) the ability of the State or political  
14       subdivision to provide supervision and support  
15       for mentors under the program and the youth  
16       served by such mentors;

17          “(E) evidence of consultation with insti-  
18       tutes of higher learning;

19          “(F) the number of children in care served  
20       by the State or political subdivision; and

21          “(G) any other factors that the Secretary  
22       determines to be significant with respect to the  
23       need for or the potential success of carrying out  
24       a mentoring program under this subsection.

1           “(6) USE OF FUNDS.—Of the amount awarded  
2           to a State or political subdivision under a grant  
3           under this subsection the State or subdivision  
4           shall—

5                   “(A) use not less than 50 percent of the  
6                   total grant amount for the training and ongoing  
7                   educational support of mentors; and

8                   “(B) use not more than 10 percent of the  
9                   total grant amount for administrative purposes.

10           “(7) MAXIMUM GRANT AMOUNT.—

11                   “(A) IN GENERAL.—In awarding grants  
12                   under this section, the Secretary shall consider  
13                   the number of children served by the jurisdic-  
14                   tion and the grant amount relative to the need  
15                   for services.

16                   “(B) LIMIT.—The amount of a grant  
17                   awarded to a State or political subdivision  
18                   under this subsection shall not exceed  
19                   \$600,000.

20           “(8) ANNUAL REPORT.—Not later than 1 year  
21           after the date of enactment of this section, and an-  
22           nually thereafter, the Secretary shall prepare and  
23           submit to Congress a report that includes the fol-  
24           lowing with respect to the year involved:

1           “(A) A description of the number of pro-  
2           grams receiving grant awards under this sub-  
3           section.

4           “(B) A description of the number of men-  
5           tors who serve in the programs described in  
6           subparagraph (A).

7           “(C) A description of the number of  
8           mentored foster children—

9                   “(i) who graduate from high school;

10                   “(ii) who enroll in college; and

11                   “(iii) who are adopted by their men-  
12           tors.

13           “(D) Any other information that the Sec-  
14           retary determines to be relevant to the evalua-  
15           tion of the program under this subsection.

16           “(9) EVALUATION.—Not later than 3 years  
17           after the date of enactment of this section, the Sec-  
18           retary shall conduct an evaluation of the effective-  
19           ness of programs funded under this section, includ-  
20           ing a comparison between the rate of drug and alco-  
21           hol abuse, teenage pregnancy, delinquency, home-  
22           lessness, and other outcome measures for mentored  
23           foster care youth and non-mentored foster care  
24           youth.

1           “(10) AUTHORIZATION OF APPROPRIATIONS.—

2           There are authorized to be appropriated to carry out  
3           this subsection, \$15,000,000 for each of fiscal years  
4           2006 and 2007, and such sums as may be necessary  
5           for each succeeding fiscal year.

6           “(d) NATIONAL COORDINATION OF STATEWIDE  
7 MENTORING PARTNERSHIPS.—

8           “(1) IN GENERAL.—The Secretary may award  
9           a competitive grant to an eligible entity to establish  
10          a National Hotline Service or Website to provide in-  
11          formation to individuals who are interested in be-  
12          coming mentors to youth in foster care.

13          “(2) AUTHORIZATION OF APPROPRIATIONS.—

14          There are authorized to be appropriated to carry out  
15          this subsection, \$4,000,000 for each of fiscal years  
16          2006 and 2007, and such sums as may be necessary  
17          for each succeeding fiscal year.

18          “(e) LOAN FORGIVENESS.—

19          “(1) DEFINITIONS.—In this subsection:

20                 “(A) ELIGIBLE MENTOR.—The term ‘eligi-  
21                 ble mentor’ means an individual who has served  
22                 as a mentor in a statewide mentor program es-  
23                 tablished under subsection (c) for at least 200  
24                 hours in a single calendar year.

1           “(B) FEDERAL STUDENT LOAN.—The  
 2           term ‘Federal student loan’ means any loan  
 3           made, insured, or guaranteed under part B, D,  
 4           or E of title IV of the Higher Education Act of  
 5           1965.

6           “(C) SECRETARY.—The term ‘Secretary’  
 7           means the Secretary of Education.

8           “(2) RELIEF FROM INDEBTEDNESS.—

9           “(A) IN GENERAL.—The Secretary shall  
 10          carry out a program to provide for the dis-  
 11          charge or cancellation of the Federal student  
 12          loan indebtedness of an eligible mentor.

13          “(B) METHOD OF DISCHARGE OR CAN-  
 14          CELLATION.—A loan that will be discharged or  
 15          canceled under the program under subpara-  
 16          graph (A) shall be discharged or canceled as  
 17          provided for using the method under section  
 18          437(a), 455(a)(1), or 464(c)(1)(F) of the High-  
 19          er Education Act of 1965, as applicable.

20          “(C) AMOUNT OF RELIEF.—The amount of  
 21          relief to be provided with respect to a loan  
 22          under this subsection shall—

23                 “(i) be equal to \$2,000 for each 200  
 24                 hours of service of an eligible mentor; and

1 “(ii) not exceed a total of \$20,000 for  
2 an eligible individual.

3 “(3) FACILITATION OF CLAIMS.—The Secretary  
4 shall—

5 “(A) establish procedures for the filing of  
6 applications for the discharge or cancellation of  
7 loans under this subsection by regulations that  
8 shall be prescribed and published within 90  
9 days after the date of enactment of this section  
10 and without regard to the requirements of sec-  
11 tion 553 of title 5, United States Code; and

12 “(B) take such actions as may be nec-  
13 essary to publicize the availability of the pro-  
14 gram established under this subsection for eligi-  
15 ble mentors.

16 “(4) FUNDING.—Amounts available for the pur-  
17 poses of making payments to lenders in accordance  
18 with section 437(a) of the Higher Education Act of  
19 1965 for the discharge of indebtedness of deceased  
20 or disabled individuals shall be available for making  
21 payments to lenders of loans to eligible mentors as  
22 provided for in this subsection.”.

○